

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 4/1/2014	(3) CONTACT/PHONE Brian Pedrotti, Planner / 805-788-2788	
(4) SUBJECT Request for authorization to process a General Plan Amendment to incorporate information relative to infrastructure deficits within Disadvantaged Communities into the San Luis Obispo County Land Use and Circulation Element as required by Senate Bill 244. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board authorize processing of the General Plan Amendment.			
(6) FUNDING SOURCE(S) General Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT { } Consent { } Presentation { } Hearing (Time Est.) { X } Board Business (Time Est. <u>45 minutes</u>)			
(11) EXECUTED DOCUMENTS { } Resolutions { } Contracts { } Ordinances { X } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5 Vote Required { X } N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY { X } N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Brian Pedrotti, Planner

VIA: Ellen Carroll, Planning Manager / Environmental Coordinator

DATE: 4/1/2014

SUBJECT: Request for authorization to process a General Plan Amendment to incorporate information relative to infrastructure deficits within Disadvantaged Communities into the San Luis Obispo County Land Use and Circulation Element as required by Senate Bill 244. All Districts.

RECOMMENDATION

It is recommended that the Board authorize processing of the General Plan Amendment.

DISCUSSION

Background

San Luis Obispo County must fulfill the requirements of Government Code Section 65302.10, which requires local governments to update the Land Use Element of the General Plan on or before the adoption of its Housing Element. These requirements are the result of SB 244 (Wolk) that was passed in 2011 and later amended with clarifying language in 2012 (SB 1090). According to the Governor's Office of Planning and Research's (OPR) Technical Advisory for Senate Bill 244, Land Use, General Plans, and Disadvantaged Communities (2-15-13), the purpose of this legislation is to identify disadvantaged communities underserved by public water, sewer and other services and "...to begin to address the complex legal, financial, and political barriers that contribute to regional inequity and infrastructure deficits within disadvantaged unincorporated communities."

A disadvantaged community is defined as a community that:

- Has an average median household income is less than 80 percent of the state median income;
- Contains no less than 10 dwellings that are adjacent or in close proximity;
- Is geographically isolated;
- Has existed for 50 years or longer ("legacy community"); and
- Is not located within a sphere of influence.

The County's Land Use and Circulation Elements (LUCE) must be updated based on available data with "an identification of each legacy community within the boundaries of the county that is a disadvantaged unincorporated community, but not including any area within the sphere of influence of any city." The identification is to include a description of the community and map of its location. In addition, local governments are required to provide an analysis of water, wastewater, storm water drainage, and structural fire protection needs or deficiencies for each identified disadvantaged community. Further, the statute requires an analysis of benefit assessment districts or other financing alternatives that could make the extension of services to identified communities financially feasible.

The proposed amendments will involve text changes and additions to various parts of the LUCE that may include one or more of the following:

- Framework for Planning
- The Area Plans
- The Community Plans
- Appendices

If this amendment is authorized for processing, it will be brought back to your Board in a few months for adoption either separately or concurrently with consideration of the Housing Element update.

Authority

Unlike the processing of land use permits, the first step when considering requested changes to the County General Plan or land use ordinances is for your Board to determine whether to initiate new legislation to change the rules. If you authorize this request for processing, the item will be scheduled for public hearings before the Planning Commission and your Board after the environmental review process and staff report is completed.

Identification of Disadvantaged Communities

Pursuant to the Governor's Office of Planning and Research's (OPR) Technical Advisory for Senate Bill 244, Land Use, General Plans, and Disadvantaged Communities (2-15-13), counties are directed to research beyond the Census Designated Places (CDPs) that were identified by the US Census Bureau. Preliminary analysis by staff of census data has identified three unincorporated communities to which SB 244 likely applies. These three communities are:

- Shandon
- Oceano
- San Miguel

There may be other unincorporated areas that qualify as disadvantaged communities. However, further analysis will be needed to identify these areas, as they may not be located within a defined census block or the population within the census block is too disparate to draw firm conclusions. If additional areas can be definitively identified that meet the criteria of SB 244, staff will include them in the proposed amendments to the LUCE.

Available Infrastructure Data

The County will use several existing data resources in the analysis of infrastructure needs and facilities in disadvantaged communities, as follows:

- Complete Communities Survey (Oceano and San Miguel). The primary focus of the Disadvantaged Communities legislation is to identify disadvantaged communities underserved by infrastructure and public facilities. The Complete Communities Survey, which was recently completed, includes a Facilities Inventory, Funding and Financing Plan, and a summary of the needs, costs, and opportunities for both Oceano and San Miguel. The study included key findings that identify needed facility improvements and a broad range of funding sources and financing mechanisms to construct and maintain them. This study will help guide the prioritization and phasing of improvements for these communities, consistent with the requirements of SB 244.
- Shandon Community Plan. In April of 2012, the County adopted the Shandon Community Plan. The plan includes detailed information on the inventory of public facilities and services (Chapter 6) and the inventory of infrastructure and utilities (Chapter 7). The plan also includes a public facilities financing plan (Chapter 8), which identifies the total costs of the key public facilities that would be needed to support the community through plan buildout. This plan will help guide the prioritization and phasing of improvements for Shandon, consistent with SB 244.

OTHER AGENCY INVOLVEMENT/IMPACT

The Planning and Building Department will consult other local agencies as needed, including the Local Area Formation Commission (LAFCO), County Public Works, and Cal Fire.

FINANCIAL CONSIDERATIONS

The Planning and Building Department will use existing staff to prepare this Disadvantaged Communities General Plan Amendment. The Planning and Building Department's budget includes sufficient funding for the staff costs for this effort during the remainder of this fiscal year.

RESULTS

Authorization of this General Plan Amendment will enable staff to prepare proposed amendments to the Land Use and Circulation Elements of the County General Plan to ensure compliance with State law regarding infrastructure investment in certain disadvantaged unincorporated communities.